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C O N F I D E N T I A L SECTION 01 OF 03 BAGHDAD 003176

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SUBJECT: OBSERVATIONS FROM POST-VETO ELECTION LAW CRISIS

REF: A. BAGHDAD 3157

[B](#). BAGHDAD 3075

[C](#). BAGHDAD 3045

Classified By: Ambassador Christopher R. Hill for Reasons 1.4 (b, d)

[1](#). (C) SUMMARY: Events leading to the successful resolution of Iraq's election law crisis in the Council of Representatives (COR) on December 6 (ref A) showed encouraging signs of slowly growing political maturity among Iraqi political leaders. Although we saw a rise in sectarian tensions following VP Tariq al-Hashimi's veto of the November 8 amended electoral law (ref C), these tensions were not accompanied by a related increase in political violence. Instead, we saw many political, civil, and religious leaders adopt a measured tone in public discourse. Even more positive was the determination of key leaders to bridge ethno-sectarian differences to fashion an election law compromise acceptable to all parties. Badr MP Hadi al-Amiri was a curious choice to lead Shia outreach efforts to Sunni political leaders given his somewhat sinister past, but may have been motivated, in part, by a desire to demonstrate the continuing influence of the ISCI/Badr "old guard." Underlying the final negotiations was a sense that the talks could be a dry run for the post-election government formation process. END SUMMARY.

[2](#). (C) Given the nature of Iraqi politics, the sensitivities surrounding the subject of elections, and the tortuous path that led to the November 8 election law amendment, many feared that the political crisis triggered by VP Hashimi's veto would give way to renewed sectarian violence reminiscent of Iraq's bloody internal warfare of a few years past. Some observers also predicted that the United States would have to take the lead in forcing a new consensus solution to the electoral question. Neither scenario occurred, however. Despite abundant political hard feelings, it appears there was no significant up-tick in ethno-sectarian violence directly linked to the election question. And while the United States played a critical role in brokering the December 6 election law compromise, the Iraqi negotiators demonstrated greater initiative to hammer out a solution during this episode than in any previous negotiations. As slow and as flawed as it may be, the Iraqi political process -- with outside help -- ultimately worked.

INEVITABLE SECTARIAN TENSIONS ...

[3](#). (C) The election law crisis was bound to raise ethnic and sectarian tensions. Friday sermons by some Shia clergy over the last few weeks, for example, focused on the alleged resurgence of Ba'athist political ideology and implied that those who supported Hashimi's veto sought to undermine the Iraqi political system. Hundreds of Shia in the cities of Najaf and Basra reportedly demonstrated against the election law veto on November 20, although no significant violence was reported. PM Maliki's continuing anti-Ba'athist campaign (septel) and his public chastising of Hashimi for putting Iraq "at grave risk" further charged the political

atmosphere.

¶4. (C) Within Iraq's Sunni community, tribal councils in Ninewa, Anbar, Diyala, and Salah ad-Din provinces widely denounced the November 23 election law amendments for "robbing" Sunnis of their parliamentary seats. Two to three hundred mostly Sunni residents of Mosul gathered in protest the day after the November 23 amendments, while Ninewa Governor Athil al-Nujaifi threatened to organize a boycott of the elections if his governorate's seats in the next COR were not restored. Not to forget the Kurds, Sunni hardliner MP Saleh al-Mutalq told Al-Jazeera November 24, "The people of QSaleh al-Mutalq told Al-Jazeera November 24, "The people of the south and center (of Iraq) can never accept robbing the votes and seats of the Arab governorates and giving them to an alliance that is laying the foundations of a separatist scheme in the future."

... BUT OVERALL CALM

¶5. (C) More noteworthy than the predictable sectarian rhetoric following the veto was the deliberate restraint shown by political leaders and the relative absence of election-related violence during the crisis. Showing signs of growing political maturity, many Iraqi political leaders kept their cool, for the most part, in public the last several weeks. Rather than encourage possible violence, several gave measured statements that stressed the unity of all Iraqis. ISCI leader Ammar al-Hakim, for example, made a sharp distinction between the relatively small number of "Saddamists," who could not be allowed back into the political arena, and former Ba'athists who did not commit

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crimes and were thus welcome to participate in public life. Despite making numerous missteps throughout the election law process, Hashimi refrained (with Embassy encouragement) from issuing a knee-jerk veto of the November 23 election legislation (ref B) and, notwithstanding chiding Maliki for his "irresponsible and uncalculated and insulting statements," was carefully guarded in his press remarks so as to not offend Shia Iraqis. Prior to the Eid al-Adha, Hashimi even offered USD 1,000 to Sunni-Shia couples getting married, although this was criticized by some as a deliberate PR stunt to dispel accusations of confessionalism.

¶6. (SBU) For every Shia or Sunni imam who laced his sermon with sectarianism, there appeared to be at least one who, perhaps taking cues from their political patrons, sent a more positive message. In his December 4 sermon, for example, Sheikh Abd al-Mahdi al-Karbalaie, imam at the al-Hussein Shrine in Karbala, called on political parties to focus on the interests of all Iraqis, rather than partisan concerns, and denounced sectarianism as an "injustice." Sheikh Abd al-Ghafoor al-Samarraie, head of the Sunni Waqf, told listeners on November 27 to use the occasion of Eid al-Adha to "overcome all differences to consolidate national unity among all Iraqis." Outside the religious sphere, growing professionalism and effectiveness among Iraq's security forces helped limit opportunities for rejectionist and terrorist groups to conduct violent attacks in a bid to fan tensions over the election law.

BUILDING, NOT BURNING, BRIDGES

¶7. (C) Following the COR's passage of the November 23 election law amendment over strong Sunni objections, some political observers immediately worried that Shia and Kurdish groups would attempt to finalize -- over a Hashimi veto if necessary -- an allocation of COR seats that would markedly disadvantage Sunni voters. This outcome was certainly possible given earlier events in post-2003 Iraq and could have had very damaging consequences (e.g., a Sunni election boycott). Fortunately, it appears that Iraq's main Shia

parties were cognizant of this risk and keen to avoid it. After sending a strong rebuke to Hashimi through the November 23 amendment, Iraq's Shia parties, as represented by MP Hadi al-Amiri (Badr Organization leader), quickly reached out to the Embassy and key Sunni politicians to express their desire to "make the Sunnis whole" by preserving the allocation of COR seats to Sunni-majority governorates codified by the Independent High Electoral Commission (IHEC) after passage of the November 8 amended election law. Such an offer, which eventually came to fruition, is remarkable in the context of a culture in which winner takes all has long been the prevailing political dynamic.

¶18. (C) Throughout the inter-party talks that began November 24 and resulted in the successful December 6 COR election resolution, Iraqi negotiators demonstrated real progress in tolerating and overcoming deeply-rooted ethnic and sectarian differences. U.S. intervention was decisive in ultimately moving Kurdistan Regional Government (KRG) President Masoud Barzani, but our intervention with Shia and Sunni leaders facilitated, rather than forced, accommodation.

THE CURIOUS CASE OF HADI AL-AMIRI

¶19. (C) One surprising development from the last several weeks is the emergence of MP Hadi al-Amiri (Badr Organization head) as the lead broker in arranging the consensus electoral amendments approved by the COR on both November 8 and December 6. Given his dark past as the alleged orchestrator of bloody attacks against Sunnis during the worst days of Iraq's sectarian violence, the somber Amiri was certainly not the most logical choice to reach out to Sunni Arab political leaders. Yet there he was, day after day in his trademark, Ahmadinejad-style open collar suit, negotiating with former "enemies" to reach a cross-sectarian election agreement. What prompted Amiri to take on this role remains somewhat opaque, but the gravitas his reputation afforded undoubtedly made all the parties take him, and his proposals, very seriously. With the young Ammar al-Hakim continuing to consolidate his leadership of ISCI, Amiri may have sought to play deal-broker to elevate his political standing in line with Hakim and to visibly demonstrate the continuing influence of the ISCI/Badr old guard.

¶10. (C) During a December 7 celebratory dinner for the main negotiators (septe), Amiri announced that some good had come from Hashimi's veto in that he would otherwise never have gotten to know and "trust" Deputy PM Rafi al-Issawi, who had hosted negotiations at his home. (Note: Shortly after the COR's adoption of the November 8 election law amendments,

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Amiri publicly noted the cross-sectarian bridges that were formed in reaching the accord and told press, "We want to keep these bridges and we want to keep the consensus that we've had." End Note.)

A HEAD START ON FORMING THE NEXT GOVERNMENT

¶11. (C) A final undercurrent at play over the last month in resolving the election law issue was maneuvering by political leaders to position themselves vis-a-vis the formation of the next government. While much of this remained hidden beneath the surface of talks, it was a very real dynamic nevertheless. Hadi al-Amiri, for example, likely sought to establish ISCI/Badr (and himself personally) as a primary mediator in inter-party wrangling so as to increase his party's influence in talks to form the next parliamentary majority. By working closely with the Kurds (ISCI's traditional ally) to push through the November 23 electoral amendments in the COR, and then subsequently engaging with Sunni leaders to fashion the December 6 election law compromise, Amiri helped establish links that may serve

ISCI/Badr well after the elections. Deputy PM Rafi al-Issawi, who hosted the talks that resulted in the December 6 deal, and his political partner Iyad Allawi likewise are likely to have had a firm eye on the post-election future of their coalition (the Iraqi National Movement) as they helped shepherd the parties to a successful compromise. With so much at stake after the elections, most of the major players in this saga probably preferred to establish cooperative ties, rather than burn bridges, with potential allies in a future government. This is an assessment that we should encourage all parties to build on in the coming months.

HILL